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December 10, 2013

OF COUNSEL GREGORY A. HARTZLER JOHN D. ULMER GEORGE E. BUCKINGHAM

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Grace Co. Enforcement Specialist U.S. Environmental Protection Agency, Region 5 Superfund Division, Enforcement and Compliance Assurance Branch 77 West Jackson Boulevard, (SE-5J) Chicago, IL 60604-3590

Re: Elkhart Door, Inc.

## Gentlement to the course of th

I am writing to you based on a communication dated December 2, 2013, a copy of which cover letter is enclosed. I received this material in the capacity of being the Registered Agent for Elkhart Door, Inc.

The role of a Registered Agent is not an officer of the company. The Registered Agent is intended to be a person or entity who receives communications on behalf of the company. Normally the Registered Agent passes that information on to the appropriate officers of the company.

I provided legal services to Elkhart Door, Inc. as a member of my law firm. Accordingly, the information that I have of a non-public nature is based upon that relationship and therefore falls within the attorney/client privilege.

I am unable to pass the information further. The corporation was owned by Richard K. Haines and Cynthia M. Haines. They went through a very acrimonious divorce. The company imploded. The creditors of the company seized the same through various avenues. Since you are particularly interested in real estate, I am enclosing a copy of a deed from the public records reflecting the foreclosure on the real estate by KeyBank National Association and First Source Bank.

My understanding is that Richard Haines has moved to Thailand a number of years ago or somewhere in Southeast Asia. Cynthia Haines remarried and my understanding has moved to France.

#### YODER, AINLAY, ULMER & BUCKINGHAM, LLP

Grace Co. Enforcement Specialist U.S. Environmental Protection Agency, Region 5 December 10, 2013 Page 2 of 2

The Indiana corporate records show Joshua Haines as the Secretary. I believe he was the son of Richard and Cynthia and have been unable to locate him. Richard does have a brother in the area named Roger Haines. I placed a call to that phone number and did not receive a return call. He may or may not be in the area at this point. Since it is wintertime, many folks of his age travel to warmer climates. He may or may not be cooperative, but I did not receive any information from that call. In the event an address for Richard Haines becomes available, I will be happy to forward the request to him.

We assume that you are also aware from the public records that Elkhart Door was administratively dissolved and the State corporate records show an entity inactive date of 8/26/1999.

Respectfully,

YODER, AINLAY, ULMER & BUCKINGHAM, LLP

Gregory A.

GAH/rm Enclosures



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

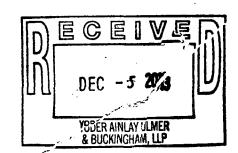
REPLY TO THE ATTENTION OF:

DEC 02 2013

SC-5J

# PROMPT REPLY NECESSARY CERTIFIED MAIL RETURN RECEIPT REQUESTED

Gregory Hartzler, Registered Agent Elkhart Door, Inc. 130 North Main Street Goshen, Indiana 46526



Re:

Request for Information Pursuant to Section 104(e) of CERCLA-

Lusher Street Groundwater Contamination Site, Elkhart, Indiana

Site ID No: 05AB

Dear Mr. Hartzler:

The U. S. Environmental Protection Agency is investigating the Lusher Street Groundwater Contamination site located in Elkhart, Indiana. The site's boundaries are defined by the extent of a contaminated ground water plume. The approximate borders are: St. Joseph River on the north; Nappanee Street on the west; Hively Avenue on the south; and Oakland Avenue on the east, (see enclosed map). EPA believes that Elkhart Door, Inc. formerly operated at the Site at 1515 Leininger Avenue. EPA believes that you may have information that is relevant to the investigation of this site. Please see Enclosure 1 for a summary of the history of this site. EPA asks that Elkhart Door, Inc. provide information and documents relating to the contamination of the site. Please respond completely and truthfully to this Information Request and its questions in Enclosure 4 within thirty (30) calendar days of receipt of this letter. Instructions for completion of your response are in Enclosure 2. Definitions of terms used in this Information Request and its questions are in Enclosure 3.

Elkhart Door, Inc. may consider some information that we request to be confidential. If Elkhart Door, Inc. wishes to assert a claim of business confidentiality, Elkhart Door, Inc. must respond to the relevant question(s) and advise EPA that Elkhart Door, Inc. requests that the Agency treat the response as confidential business information. Directions to assert a claim of business confidentiality are in Enclosure 5.

The Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601, et seq., (commonly referred to as CERCLA or Superfund) gives EPA the authority to: 1) assess contaminated sites, 2) determine the threats to human health and the environment posed by a site, 3) clean up those sites, and 4) investigate parties having potential liability at a site.

Under Section 104(e)(2) of CERCLA, EPA has authority to gather information and to require persons to furnish information or documents relating to:

- A. The identification, nature, and quantity of materials which have been or are generated, treated, stored or disposed of at a vessel or facility or transported to a vessel or facility;
- B. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility; and
- C. The ability of potentially liable parties to pay the costs of the clean up.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by EPA pursuant to Section 104(e)(5) of CERCLA. Failure to respond and failure to justify the non-response can result in similar penalties under this Section. Further, Section 104(e)(5) authorizes the United States to seek penalties from a federal court of up to \$37,500 for each day of continued non-compliance. EPA considers non-compliance to be not only failure to respond to the Information Request, but also failure to respond completely and truthfully to each question in the Information Request.

The provision of false, fictitious or fraudulent statements or misrepresentations may subject Elkhart Door, Inc. to criminal penalties of up to \$10,000 or up to five years imprisonment, or both, under 18 U.S.C. § 1001.

EPA has the authority to use the information requested in an administrative, civil, or criminal action.

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 et seq.

Return your response to EPA within thirty (30) calendar days of your receipt of this Information Request. Mail your response to:

Grace Co, Enforcement Specialist U.S. Environmental Protection Agency, Region 5 Superfund Division, Enforcement and Compliance Assurance Branch 77 West Jackson Boulevard, (SE-5J) Chicago, Illinois 60604-3590 If you have any questions about a legal matter, please contact Sheila McAnaney, Assistant Regional Counsel at (312) 353-3114. All other questions should be directed to Syed Quadri, Remedial Project Manager at (312) 886-5736.

We appreciate your prompt attention to this matter.

Sincerely,

Sharon Jaffess, Chief

Enforcement & Compliance Assurance Branch

Enclosure:

1. Site History

2. Instructions

3. Definitions

4. Information Request

5. Confidential Business Information

6. Site Maps (3)

### Oct 19 2 49 PH '00

SUSAN M. GUIZE FIEED FOR RECURD

THIS INDENTURE, made this 1st day of August	,A D 2000	etwee
Thomas G. Snider		
Sheriff of Elkhart County, in the State of Indiana, of the First Part, and 1st Source Bank		_ol
ZBarnes & Thornburg 100 N Michigan Ste 600 South Bend, IN 46601		of t
	4.34	
Second Part	10 m	
WITNESSETH That: Whereas, on January 26, 2000	in th	e Elkha
Superfor #1 Court in the State of Indiana,	·	
KeyBank National Association and 1st Source Bank, Cross-claimant		
recovered judgment in said Court. In Cause No. 200019809CP659		
against Richard K. Heines, Cynthia M. Haines, Elkhart County Treasurer	let Source	lank
	438	
S. Ray Hillar, Hunter Douglas, Inc., Max K. Walker and E. Spencer Wal	ton	100
	A CO. A GEORGE CONT.	18 18
in the sum of Two Million One Hundred Ninety Thousand Six Hundred Twenty-	five	
DOLLARS and forty-two cents \$2,190.625.42	tog	ether v
costs and a decree of foreclosure of a mortgage.	1	4.4
in the state of		
Whereas, at a sale duly advertised and held, conformable to law and said decree, said Sheriff d	d expose to sale and	offen
at public auction, all the right, title, and interest in fee simple of the said defendants and each of them in	and to said real est	ate and
lat Source Bank		32 3
did then and there bid the sum of One Million Five Hundred Thousand One Hundred		*
	on bidding more, the	same
in due form openly struck off and sold.		
NOW, THEREFORE, to confirm said purchaser the sale so made as aforesaid, the undersigned	4	
NOW, THEREFORE, to confirm said purchaser the sale so made as aforesaid, the undersigned		
Thomas G. Snider now Sheriff of said Elkhar	t County, in consider	
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Thomas G. Snider now Sheriff of said Elkhar	t County, in consider	
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Thomas G. Snider now Sheriff of said Elkhar the premises and the status so providing, hath GRANTED, BARGAINED, and SOLD, and doch by the	et County, in conside	Γ,
Thomas G. Snider now Sheriff of said Elkhar the premises and the status so providing, bath GRANTED, BARGAINED, and SOLD, and doch by the BARGAIN, SELL, AND CONFIRM to the saidist Source Bank	et County, in conside	r,
Thomas G. Snider now Sheriff of said Elkhar the premises and the status so providing, hath GRANTED, BARGAINED, and SOLD, and doth by the BARGAIN, SELL, AND CONFIRM to the saidist Source Bank heirs, executors, administrators, successors, and assigns, FOREVER, all the following real estate situated	et County, in conside	r,
Thomas G. Snider  now Sheriff of said Elkhar  the premises and the status so providing, hath GRANTED, BARGAINED, and SOLD, and doch by the  BARGAIN, SELL, AND CONFIRM to the saidist Source Bank  heirs, executors, administrators, successors, and assigns, FOREVER, all the following real estate situated  State of Indiana, to-wit:  Commonly known as 1515 Leininger Street, Elkhart, IN 46517	et County, in conside	r,
Thomas G. Snider now Sheriff of said Elkhar the premises and the status so providing, hath GRANTED, BARGAINED, and SOLD, and doch by the BARGAIN, SELL, AND CONFIRM to the saidist Source Bank heirs, executors, administrators, successors, and assigns, FOREVER, all the following real estate situated State of Indiana, to-wit:	et County, in conside	τ,

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DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

TRANSFER FEE PARCEL NO.26-06-18-251-004 018 017

Q - Barres - Thornburg

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#0242216. ######	
Spires and the spire of the spi	T VEDECS
Subject to real estate property taxes	and assessments of record.
TO HAVE AND TO HOLL appurtenances, to the said grantee, heirs, executors, administrators, succ	D, all and singular, the premises aforesaid, with the privileges and lat Source Benk cessors, and assigns, forever, in as full and ample manner as the same
rights of the judgment creditors as n	e said undersigned, as Sheriff as aforesaid, has hereunto set his hand
and seal this 18t day o	Thomas G Snider As Shertff.
State of Indiana, Elkhart County, ss:  BEFORE ME,RANDA	LLL YOHN, Clerk of theELKHART SUPERTOR
	by came
INWITNESS WHEREOF, I he	ereunto subscribe my name and affix my official seal of office, this
	Clerk Elkhart Superior 11 Court
Units instrument prepared by	Thomas G. Snider, Sheriff of Elkhart County, Indiana.
Cause No. 200019809CP659 Sheriff of Eikhart Cr. 119 Deed on Decree	Received for Record  day of A.D. 20  o'clock M. and recorded  S. Deed Record M. and recorded  Recorder for Elebrar County  Recorder for Elebrar County  Austron for Elebrar County
00 48 C	Received for This

TRACT I: A part of the Northeast Quarter (NE 1/4) of Section Eighteen (18) Township Thirty-seven (37) North, Range Five (5) East, Elkhart County, Indiana, more particularly described as follows: Commercing at a cross (x) cut on the concrete pavement at the Northeast corner of the Southeast Quarter (SE 1/4) of said Quarter Section; thence Westwardly along the North line of the South half (S ½) of said Quarter Section, one thousand three hundred and eleven hundredths (1300.11) feet to the East line of Fifteenth Street three hundred fifty-eight and five tenths (358.5) feet to a point that is one thousand three hundred six and three tenths (1306.3) feet West of the East line of said Quarter Section; thence Westwardly parallel with the South line of said Quarter Section five hundred twenty-six and seven tenths (526.7) feet to an iron stake that is eight hundred twenty and three hundredths (820.03) feet East of the West line of said Quarter Section; thence Northwardly parallel with the West line of said Quarter Section, three hundred fifty-eight and fifty-four hundredths (358.54) feet to the North line of the South half (S ½) of said Quarter Section; thence Hastwardly along said North line of the South half (S ½) of said Quarter Section; thence Hastwardly along said North line of the South half (S ½) of said Quarter Section; thence Hastwardly along said North line of the South half (S ½) of said Quarter Section, five hundred thirty-two and seventy-five hundredths (532.75, feet to the place of beginning.

SUBJECT to an easement for private drive over the East sixty (60) feet of the above described real estate.

TRACT II: The East nineteen and ninety-seven hundredths (19.97) feet of Lot Numbered Eighteen (18) and the West ten and three hundredths (10.03) teet of Lot Numbered Seventeen (17) as the said Lots are known and described on the recorded Plat of OAKLAND PARK ADDITION, a subdivision in Concord Township, Eikhart County, Indiana; said plat being recorded in Plat Book 4, page 13 in the Office of the Recorder of Eikhart County, Indiana.

ALSO, A part of the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Thirty-seven (37) North, Range Five (5) East, in Concord Township, Eikhart County, Indiana, more particularly described as follows:

Commencing at an iron stake marking the southeast corner of said Ouarter Section; thence Westwardly along the South line of said Quarter Section, one thousand eight hundred thirty and sixty-nine hundredths (1830,69) feet, thence North, parallel with the West line of said Quarter Section, two hundred eighty-six (286) feet to a point on the North line of Lot Numbered Fighteen (18) as said Lot is known and designated on the recorded. Plat of OAKLAND PARK ADDITION, said point also being nineteen and ninety-seven hundredths (19.97) feet West of the Northeast corner of said Lot, thence continuing North, parallel with the West line of said Quarter Section, six hundred eighty (680) feet to an iron stake; thence Eastwardly, parallel with the South line of said Quarter Section, two hundred twenty-five and five tenths (225.5) feet; thence South, parallel with the West line of said Quarter Section, six hundred (600) feet to an iron stake; said iron stake being eight (80) feet North of the North lines of Lots Sixteen (16) and Seventeen (17) in said Addition; thence Westwardly, parallel with the South line of said Quarter Section and the North lines of said Lotr, one hundred ninety-five and five tenths (195.5) feet; theree South, parallel with the West line of said Quarter Section, eight (80) feet to a point on the North line of Lot Seventeen (17) in said Addition, said point also being ten and three hundredths (10.03) feet East of the Northwest corner of Lot Seventeen (17) in said Addition; thence Westwardly, parallel with the South line of said Quarter Section, and along the North lines of Lots Seventeen (17) and Highteen (18) in said Addition, thirty (30) feet to the place of beginning.

YODER, AINLAY, ULMER & BUCKINGHAM, LLP

130 NORTH MAIN STREET P.O. BOX 575

GOSHEN, INDIANA 46527-0575









Grace Co. Enforcement Specialist U.S. Environmental Protection Agency, Region 5 Superfund Division, Enforcement and Compliance Assurance Branch 77 West Jackson Boulevard, (SE-5J) Chicago, IL 60604-3590